

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KELPHALA SESSAY,

Plaintiff,

v.

PEOPLES COMMERCE, INC., ET AL.,

Defendants.

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CIVIL ACTION

No. 17-cv-3219

ORDER

AND NOW, this 4th day of March, 2019, I note the following:

1. On February 13, 2019, I issued an Order, wherein I granted Plaintiff's Motion for Summary Judgment as to the FCEUA claim, Pennsylvania UCC claim, and battery claim, but denied Plaintiff's Motion as to Defendant Peoples Commerce, Inc.'s Counterclaim (ECF No. 23);
2. My February 13, 2019 Order also required Defendant Peoples Commerce, Inc. to file a status letter on or before February 25, 2019, advising the Court whether it intends to pursue its breach of contract counterclaim; and
3. Defendant Peoples Commerce, Inc. has failed to comply with my February 13, 2019 Order;

WHEREFORE, it is hereby **ORDERED** that Defendant Peoples Commerce, Inc. shall file a status letter **on or before March 25, 2019**, advising the Court whether it intends to pursue its breach of contract counterclaim. Failure to comply with this Order could result in the consideration of sanctions, including, but not limited to, dismissal of its Counterclaim.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.